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INTER-AMERICAN LEGAL DEVELOPMENTS

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ARGENTINA

Recently enacted Law No. 18.235 (1969) enables administrative authorities to expel undesirable aliens in three cases: (1) if they have not disclosed their convictions in foreign countries or the convictions are unknown to Argentine authorities at the time of the alien’s admission, provided the crimes involved are also punishable under Argentine Laws; (2) if they are convicted by Argentine courts for intentional crimes; or (3) if they engage in Argentina in activities which affect social peace, national security or public order. The administrative decision is final and has to be complied with in five days during which time the alien may be taken in custody. The new law fills a gap created in Argentine legislation when the previously controlling Law No. 4.144 (1902) was abrogated in 1958 for political reasons. The Buenos Aires Bar has voiced doubts regarding the constitutionality of the new law.

The law against communist propaganda and activities enacted in 1967 (Law No. 17.401) has been amended by Law No. 18.234 (1969).

A draft of a revised bankruptcy law, prepared by a special commission, was submitted to the Ministry of Justice to replace Law No. 11.719 of 1933. The main objectives are: adequate protection of creditors; preservation of the enterprise; prevention of economic failures; recovery by bona fide creditors; and, protection of commerce in general by the elimination of unsound practices and undesirable businessmen, particularly those guilty of fraudulent practices. The draft law is based on experiences since 1933 and particularly seeks to correct a significant deterioration of ethical standards in some sectors of business.

Two other drafts have also been submitted to the Ministry of Justice. One introduces the principle of oral pleading in criminal proceedings dealing with private accusation; the other, establishes a court of criminal appeals for the federal district.

Salaries of judges are now regulated by Law No. 18.153 (1969).

A monetary reform took place under Law No. 18.188 (1969). The
name of the official currency was changed from *peso moneda nacional* to *peso*, and the symbol $ adopted. The new currency will be equivalent to 100 *pesos* of prior denomination and has a ratio of 3.5 to one U.S. dollar.

Uniform weekly rest from Saturday 1 p.m. through midnight Sunday was introduced by Law No. 18.204 (1969). No physical labor for another person, nor publicly noticeable dependent work, even though non-profit, may take place unless authorized by administrative authorities.

Privileges are granted to immigrants entering Argentina under special programs by Decree No. 194 (1969).

Pensions after retirement from work due to incapacity or old age for persons employed in dependent positions are now guaranteed by Law No. 18.027 (1969). Exempt from coverage are professionals, researchers, scientists and technicians hired abroad for no more than two years (and only once), provided they do not permanently reside in Argentina and are protected in cases of old age, invalidity and death by laws of their home countries or the countries of their permanent residence. However, these persons may join the plan voluntarily. Personnel of diplomatic and consular missions as well as employees of international institutions acting in the Republic are included in the plan if pertinent treaties so provide. A similar scheme was enacted by Law No. 18.038 (1969) for self-employed persons.

Prices of pharmaceutical products were first regulated by Law No. 17.663 (1968) which established uniform maximum prices for the whole country. Based on experiences with this law, a commission consisting of representatives of the Secretariat of Public Health and the Ministry of Commerce and Industry submitted a bill which was enacted as Law No. 18.233 (1969).

Military service was reorganized by Decree No. 6.701/68 (1969).

Payment of oil royalties is now regulated by Decree No. 1.671 (1969) which implements Arts. 59 and 62 of the Oil and Gas Law, No. 17.319 (1967).

**Buenos Aires**

A new industrial promotion law No. 7.474 (1969) replacing law No. 7.110 of 1965 has been enacted.

**Cordoba**

Maritime activities in the waters under provincial jurisdiction are
regulated by Law No. 5.040 (1968) covering registration of vessels, sport, and commercial activities.

The cadaster of land is now regulated by Law No. 5.057 (1969).

Corrientes
A new tax schedule was issued for tax on automobiles under law No. 2855 (1969).
A new Law No. 2.852 (1969) regulates food markets and small grocery stores.

Entre Ríos
New tax schedules were enacted by Law No. 4.782 (1969).

La Pampa
A new tax law was enacted by Law No. 500 (1969). Taxes are levied on immovable; profitable activities; gratuitous transfer of assets; automobiles; seals; acts and contracts; commercial and banking operations; professional activities; fees for administrative services; gambling and lotteries; and electricity.

Mendoza
Subdivision of land is now regulated by Law No. 3.596 (1969).

Misiones
The national Code of Civil and Commercial Procedure, Law No. 17.454 (1968) was adopted with some modifications (B. O., Jan. 29, 1969).

Salta
A new tax schedule was adopted by Law No. 4.290 (1969).

Santa Fe

BARBADOS
Among recent enactments the following are worthy of note: Sugar Workers (Provident Fund) Act (1968-54); Anglican Church Act (1969-

In pursuance of the Carifta Agreement to which Barbados is a party, the Customs Act (1961-18) was amended by the Customs (Caribbean Free Trade Association) Order of April 30, 1969.

Rules have been issued (S.I. 1969, No. 114) to implement the Legal Aid and Criminal Cases Act of 1968.

BRAZIL


Regulations have been issued to implement Decree-Law No. 491 (1969) which provides incentives for the exportation of manufactured products.

The Regulations of the Mining Code, approved by Decree No. 62,934 (1968), have been modified. The amendment increases the maximum areas of explorations from 400 to 10,000 hectares in remote regions. Purpose of the change is to induce exploration in remote areas of the country.

In July, the President of the Republic appointed a high level committee to consider reforms to the 1967 Constitution. Coordination of the work of the committee remains with the President who set a tight schedule for the submission of a preliminary report. It is anticipated that the reforms will be submitted to the Congress for approval or rejection.

Resolution 114 (1969) of the Banco Central do Brasil set maximum interest rates chargeable by Brazilian banks; the resolution is not applicable to finance companies or investment banks.

The revision of the Civil Code continued during the summer months. The commission headed by Professor Miguel Reale made substantial headway and in late June was preparing to hold plenary sessions for the benefit of interested parties.

Substantial reforms aiming to accelerate the judicial process are being considered by the Tribunal de Justica. Additional judges and administrative personnel, regional courts, and specialization in the courts are some of the measures being considered to remove the delay in the administration of justice.
The state of Rio has been divided into eleven administrative regions.

A September 1969 amendment to Decree Law No. 37 (1966) regulating the importation of paper provides substantial increases in the fines for violation of the law; also that the representatives of foreign paper companies must obtain authorization from the Minister of Commerce prior to the importation of paper.

Brazil's program of land reform, promulgated by Law No. 4.504 (1964), was implemented in May in Rio Grande do Sul through the appropriation of approximately 17,000 hectares for the use of the state's electric company. 1452 families dispossessed by the above are receiving compensation and assistance in relocating.

The River Plate Basin Treaty signed in Brasilia in April 1969 by representatives of Argentina, Uruguay, Paraguay, Bolivia and Brazil has been ratified by Brazil.

The following additional matters of legal interest, among others, have been considered in Brazil in the recent past: (1) legislation for retarded children, (2) a Military Penal Code, (3) legislation for the administration of cemeteries (4) a law of "silence" to cut down street noises, (5) a code relating to the rights of authors, and (6) exemption from custom duties of imports of raw materials and components for the steel industry and certain imports for the motor vehicle industry.

BRITISH WEST INDIES

Bahama Islands

The Bahama Islands (Constitution) Order, 1969, (S.I. 1969/590) provides that the islands constitute the Commonwealth of the Bahama Islands and for an elaborate system for the protection of civil rights. Among the subjects treated are the right to life, inhuman treatment, slavery and forced labor, arbitrary arrest and detention, protection of law, privacy of home and other property, freedom of conscience, expression, assembly and movement, protection from discrimination and from deprivation of property. These rights are carefully qualified and in some instances (protection of property, freedom of conscience, and expression as well as of assembly and association) subject to measures "reasonably justifiable in a democratic society." The enforcement is entrusted to the Supreme Court. The Governor is appointed by the Sovereign to exercise powers granted by the Constitution. The legislature consists of an appointed Senate and an elected House whose legislation must be assented to by the Sovereign or by the Governor. The latter has the right to veto a law or reserve it
for the Sovereign's pleasure, particularly in situations where the law is inconsistent with international obligations, affects royal prerogatives, violates the Constitution, is inconsistent with certain obligations, or it affects external affairs, defence, internal security, or the police force.

The executive authority is vested in the Sovereign and is exercised by the Governor together with the Cabinet which has "the general direction and control of the government... and shall be collectively responsible therefor to the Legislature." The Price Minister is appointed by the Governor who, with the concurrence of the Prime Minister, appoints Ministers from among members of the legislature. The judicial power is vested in the Supreme Court and a Court of Appeals, as well as subordinate courts not mentioned in the constitution.

A fisheries zone contiguous to the territorial waters of the Bahama Islands was established by proclamation (Official Gazette Bahamas, February 26, 1969). This zone has "as its inner boundary the outer limit of the territorial seat... and as its seaward boundary a line drawn so that each point on the line is twelve nautical miles from the nearest point on the low-water line on the coast or other baselines from which the breadth of the territorial sea is measured." The proclamation adds that the Sovereign "will exercise the same exclusive rights in respect of fisheries in the said fisheries zone as She has in respect of fisheries in the territorial sea of the Bahama Islands, subject to such provision as may hereafter be made by law for the control and regulation of fishing within the said zone."

Act. No. 13 (1969) providing for the protection, regulation and control of products of the sea has been enacted. Of particular importance to non-resident fishermen is Sec. 8, which pertains to foreign fishing boats. A foreign boat is defined as a boat which is not owned by a British subject resident of the Bahama Islands. Any violation of a proclamation pertaining to the exclusive fishing zone renders the fisherman and the master of the boat liable to a fine not exceeding $10,000, or to imprisonment for up to one year, or both. In addition, the vessel guilty of the violation is subject to forfeiture. However, a foreign boat may fish within the exclusive fishing zone for commercial or scientific research purposes if it first obtains a license, or if it is engaged in sporting purposes after the boat has registered at a port of entry in the Bahamas. All presumptions seem to be against the fisherman. If a fishing boat is found within the exclusive fishing zone with a species of fish which is protected in the exclusive fishing zone, the fishing boat is presumed to have caught the protected fish within the exclusive fishing zone unless the contrary can be proven. If prohibited fishing devices are found on
the boat it is presumed that these were used in taking the fish unless the contrary can be proven. In spite of these rather harsh presumptions, the Act affords due process. If a person or boat is seized it must be taken to the nearest or most convenient place in the Bahama Islands and delivered into the custody of the senior police officer. If a complaint is not filed within seven days after the person or boat is brought before the most senior police officer, the person or boat must be released on demand. Notice of the seizure of a boat must be given to the owner of a boat if he does not have actual knowledge of the seizure. Anything seized may be released at the Minister's discretion upon payment of a cash bond. In order to facilitate fishing that has been traditionally carried on in certain nations, the Governor has been given the power to designate those countries which shall be allowed to continue to fish in designated areas for designated species of fish.

The following laws have been recently enacted: Development Debentures Act, No. 7 (1969); Public Service Act, No. 9 (1969); Powers and Privileges (Senate and House of Assembly) Act, No. 10 (1969); and an Act to amend the Pensions Act, No. 11 (1969). A Lotteries and Gaming Act has also been enacted in 1969.

The Quieting Titles Act (No. 2, 1969) will be discussed in the next issue of Lawyer of the Americas.

Grenada

Acquisition of land in Grenada has been regulated since 1968 to the effect that all non-Grenadians, including British nationals, must apply for a permit from the Government and pay a fee equivalent to 5% of the purchase price. Granting of the permit depends on the intended use of the property, the financial status of the applicant, and on the report of the local police. Following the policy of conservation and best use of available land, most of the hotels are built on land leased from the Government. The Government seems to be liberal in granting permits to respectable non-nationals who wish to have a winter home or retire in the island.

St. Lucia

The recently enacted law regarding commercial banks requires a reserve fund into which ten percent of the annual net profit must be channelled. Banks may not accept deposit liabilities in excess of 20 times the paid up capital and reserve fund. Accounts inactive for 14 years escheat to the government.
St. Vincent

It appears that St. Vincent will not join the West Indies Associated States but will emerge as a self-governing state associated with Great Britain.

West Indies Associated States

The consolidation of the judicial system rests on the West Indies Associated Supreme Court Order and Rules (1967) and the West Indies Associated States (Appeals to Privy Council) Order 1967 (S.I. No. 224), which provides that an appeal shall lie to Her Majesty in Council from decisions in such cases as may be prescribed in the constitution of each of the associated states, upon conditions established in the order (Art. 5). The West Indies Associated States Court of Appeal's rules were issued in 1968. Recently, the rules of the Supreme Court were amended by the West Indies Associated States (Revision) Rules, 1969. They apply to Antigua, Dominica, Grenada, Saint Christopher, Nevis and Anguilla, Saint Lucia and Saint Vincent. The amendment establishes judicial districts for St. Christopher, Nevis and Anguilla; and regulates court sessions in non-criminal and criminal matters; court vacations; hearings; service; and powers of the Registrar.

CANADA

A newly enacted bill declares English and French the official languages of the federal government, and under its provisions bilingual federal facilities, such as courts and post offices, must be available wherever 10 per cent or more of the population of any district speak French. In Quebec the same facilities are mandatory in English speaking districts. The bill extends bilingualism beyond the provisions of the British North America Act of 1867, namely making French an official language only in the federal government and parliament; also in the Quebec legislature as well as in federal and Quebec courts.

An act respecting the organization of the Canadian government has established the following departments and councils: Department of Industry, Trade and Commerce; Department of Communications; Department of Regional Economic Expansion; Department of Supply and Services; Department of Consumer and Corporate Affairs; National Council of Welfare; Medical Research Council; Science Council of Canada; and Atlantic Development Council. The Royal Mint was organized as a corporation.
During the first session of 1968-69 the Canadian Parliament adopted the Criminal Law (Amendment) Act affecting the Criminal Code, the Parole Act, the Penitentiary Act, the Prisons and Reformatories Act, the Combined Investigation Act, the Customs Tariff Act and the National Defense Act. Among changes affecting substantive criminal law as contained in the Criminal Code, the following may be mentioned: forgery of passports (Art. 58); weapons (Arts. 82-98); homosexuality which, if committed between consenting males over 21 years, is no longer punishable; sodomy which is not punishable if it takes place between spouses in private (Arts. 147 and 149). Bona fide clubs are exempt from certain criminal provisions regarding gambling (Art. 168). Supervised pari-mutual betting is now permitted (Art. 178). Lotteries, previously prohibited, may be operated by the Government (Art. 179), or charitable and religious organizations. Infanticide is now limited to injuries to a child "before or during its birth as a result of which the child dies after becoming a human being" (Art. 195). Driving under the influence of liquor is now regulated in Arts. 222 to 224 and is a punishable offense, and so is a refusal of breath analysis. Abortion is prohibited, except by a qualified medical practitioner in an accredited or approved hospital with the permission of the woman involved, provided the Therapeutic Abortion Committee of the pertinent medical institution has, by a majority of votes, certified in writing that the continuation of pregnancy would likely endanger the life or health of the woman. The committee is to consist of at least three qualified medical practitioners appointed by the board of the hospital. (Art. 237). Other amendments deal with possession of tools for breaking and entering (Arts. 295A and 295B), mail thefts (Art. 315) and cruelty to animals (Art. 387). Further amendments deal with arrest without warrant (Arts. 435 and 438); restricting publication of evidence by court order (Art. 452A); choice of the court where the accused may be tried; suspended sentence and probation (Arts. 627 to 640B).

A number of other federal acts deal with a variety of matters. The National Housing Act was amended (June 17, 1969); an act to provide incentives for the development of productive employment opportunities was passed on June 27, 1969; on June 5, 1969, an act to establish the Export Development Corporation was adopted, and on June 13, 1969, an act to establish the Canadian Corporation for Telecommunication by Satellite was also adopted. Other enactments deal with tax exemptions for small estates; trust companies and their incorporation; simplification of incorporation of loan companies; granting of patents relating to pharmaceutical products; and, authorization of the government to regulate safety and quality of drugs produced abroad.
Alberta

The Fish Marketing Act and the Health Case Insurance Act have been enacted in 1969.

Manitoba

The Highway Traffic Act (1968), and the Medical Services Act (1967) came into force. The following acts came into force on the dates indicated: On March 20, an act to amend the Public Schools Act; On April 1, an act to amend the Manitoba Services Insurance Act; on May 22, acts to amend the Fires Prevention Act and the Vacations with Pay Act. Further on May 22, an act was assented to amending the Electoral (provincial) Division Act which is to come into force on the day on which the 28th Legislature Assembly of Manitoba terminates.

New Brunswick

The Grand Lake Development Corporation Act (1969); the Industrial Training and Certification Act (1969), and the Farm Improvement Association Loan Act (1969) were enacted. Amendments to the Expropriation Act (1969) and the Game Act (1969) entered into force.

Newfoundland

The following act entered into force: Insurance Contract Act (1968). The following acts were amended: Assignment of Book Debts Act (1968); Companies Act (1968); Criminal Injuries Compensation Act (1968); and Registration of Deeds Act (1968).

Ontario

The Forest Tree Pest Control Act (1968), and the Forest Fire Prevention Act (1968) came into force, as well as amendments to the following acts: Insurance Act (1964); Pharmacy Act (1964); and Land Titles Act (1968).

Quebec

Significant changes occurred in regard to family law generally, and divorce in particular. In view of the fact that up till now divorce was not available in Quebec but had to be obtained by a private bill of the federal parliament, the legislature of Quebec has, in view of the federal act dealing with divorce (reported in Lawyer of the Americas, No. 1, Vol. 1) legalized divorce by amending the Civil Code (Art. 185). Divorce
dissolves community property (Art. 1310 and Art. 208). In cases of separation or divorce, the amendment gives each spouse the right to demand the performance of gifts inter vivos promised in the marriage contract, unless the court decides differently. The amendment also provides for payment of support to the other spouse or children (Art. 212). The court may modify or rescind its alimony decree for valid reasons (Art. 213). The court also may grant temporary alimony during the suit for the temporary custody of children, and relief to the wife from her duty to live with her husband and vice versa (Art. 200). Collateral consequences of divorce extinguish the duty of in-law sons and daughters to support their in-laws (Art. 167); but, prohibitions to marry resulting from marriage generally do not cease (Art. 125).

Children under 21 years must have consent from father or mother for marrying (Art. 119). Previously, in case of disagreement between parents, the will of fathers prevailed. Marriage remains prohibited between aunt and nephew; however, such prohibition is not applicable in certain cases (Art. 126).

Amendments to the Civil Code also affect rules regarding declaration of death. In cases where the death appears certain but the document of burial is unavailable, a declaratory judgment may be demanded in cases where the death occurred in the Province of Quebec, or outside of the province, or if the place of death cannot be determined, provided the deceased, in the two latter cases, was domiciled in the province (Arts. 70 to 72). If the person declared dead reappears, he recovers his property in the state it is at this time, or the price at which it was sold, or the investment price, if any. Further provisions deal with insurance and matrimonial property in such situations (Art. 2593 a).

Numerous amendments have been adopted regarding the Code of Civil Procedure of Quebec. They affect Arts. 97, 104, 161, 162, 324, 437a, 456, 494, 552, 651, 820, 865a, 865b, 865d. Additional amendments raised the minimum amount for appeals (Arts. 26, 27 and 29).

Saskatchewan


Editor’s Note: To the report on Quebec in the previous issue of the Lawyer (No. 2 Vol. 1 at p. 49) the following clarification should be added:

The new law provides that the legislature of Quebec shall consist
of the Lieutenant-Governor and the National Assembly of Quebec; it shall exercise all the powers vested previously in the legislature of the province of Quebec, consisting before the abolition of the second chamber by the said law, of the Lieutenant-Governor and two Houses called the Legislative Council of Quebec (abolished presently) and the Legislative Assembly of Quebec (renamed presently National Assembly). Thus at present all Canadian provincial legislatures have unicameral legislative assemblies.

CHILE

Aviation fees are regulated by a new decree (D.O. March 27, 1969).

A decree (D.O. July 8, 1969) covered regulations regarding the national registry of merchants and defined its functions, inscriptions and organization.

A decree (D. O. May 30, 1969) has granted tariff privileges to businesses producing means of transportation. The Customs Service has been authorized to allow deferred payments in particular instances, e.g., machinery destined for modernization of this industry.


The current interest rate has been set at 19.59%; for contracts rates may not be higher than 23.5% (D.O. June 28, 1969).

On the subject of mining the following enactments are noted: (1) regulation of security in mines (D.O. March 25, 1969); (2) establishment of a Coordinating Committee for Mining Activities under Decree No. 62 (1969).

The Criminal Code was amended by Law No. 17.155 (1969) in matters regarding public health (Arts. 213, 289, 290 and 313-319).

A revised text of the laws regarding alcohol (Laws No. 6.474 and 11.256) was published (D.O. April 14, 1969).

COLOMBIA

The by-laws of the Fund for Promotion of Exports were approved by Decree No. 821 (1969).

The law of agrarian reform of 1961 was further implemented by Decree No. 810 (1969) regarding uncultivated land beyond 50 hectares.

The Supreme Court of Justice has ruled that Decree No. 750 (1940)
introducing a new bankruptcy law is invalid. Consequently, the chapter of the Commercial Code of 1887 dealing with bankruptcy again controls. The same court also decided that an agreement to arbitrate under Arts. 1214 to 1227 of the Code of Civil Procedure (Law No. 105 of 1931) is binding.

The territorial organization of courts has been set up by Decree No. 900 (1969). Another Decree, No. 901 (1969), provides for election of judges. Judges of superior tribunals will be elected by members of the Supreme Court, and juvenile judges, as well as circuit and municipal judges, by superior tribunals. The decree prohibits any electioneering under the threat of dismissal. Two additional decrees cover obligatory retirement at 65 years and judicial salaries.

Decree No. 1143 (1969), replacing prior Decrees Nos. 2062 (1960), and No. 2129 (1961), regulates assembly-type enterprises. These enterprises must have governmental permits which will be issued only after a number of criteria have been reviewed. Among these are: the significance of the assembled product to the domestic economic development; the need to allow the operation and the impact of the operation on the balance of payments; the size of the market in relation to the potential of the enterprise; the effect of the operation on domestic prices; the contribution of the enterprise toward Latin American economic integration; and the effects on the domestic labor market. Existing enterprises of the type under consideration are not affected by the new decree.

A 50% share of imports and exports shipped by sea must be reserved to the Colombian merchant fleet under Decree No. 1208 (1969). To qualify as a domestic vessel, a ship must be registered in Colombia, and its crew must consist of at least 80% of Colombian nationals. Further, an individual owner must be a Colombian, and in case of a corporate owner, the corporation must be incorporated in Colombia, have a seat in the Republic, its principal officers must be Colombians, and its shares must be owned by Colombian nationals or Colombian corporations. The 50% requirement will not affect arrangements by the Government in connection with foreign loans, nor does it prevent Colombian carriers to assign such transports to foreign carriers. Latin American carriers are given equal national treatment subject to reciprocity. Vessels owned by enterprises in which some shares are owned by shareholders of two or more LAFTA countries and the majority is owned by Colombian maritime carriers, will enjoy equal national treatment, provided the vessels are registered in a port of the country of such shareholders and there is reciprocity.
Minimum wages are now regulated by Decree No. 1233 (1969) in conjunction with Acuerdo No. 1 (1969) issued by the National Council for Salaries. Minimum wages depend not only on the geographic location of the enterprise and the branch of economy (agriculture and related activities, manufacturing, construction, commerce, transportation, and services), but also on the value of assets invested in the enterprise. The dividing line is 200,000 pesos.

The National Superintendency of Prices has decreed that maximum prices for medicines must appear on the package of the products. Changes in prices cannot be enforced before respective price lists are distributed to retailers and made available to the public. The Superintendency has also decreed that sellers of chattels on installments must disclose separately the basic price and the interest for the financing of credit. The disclosure must appear in advertising as well as in the respective contracts, invoices and receipts.

COSTA RICA

Savings and loan associations are now regulated by Law No. 4339 (1969). A Central Institute of Savings and Loans, in conjunction with the Association of Savings and Loans, will further the aims of the associations, namely, encourage savings and investments for the construction, acquisition and maintenance of dwellings for low and middle income families. The Central Institute will issue permits for the operation of individual associations which may accept savings from members and grant loans up to 25 years for amounts up to 90% of the value of the property. Credits secured by dwellings are guaranteed by the Central Institute as well as by the Government. Mortgages enjoy certain tax privileges.

Law No. 4348 (1969) permits banks to open branches abroad.

Article 132 of the Constitution was amended by Law No. 4349 (1969) so as to prohibit reelection to the presidency of the Republic. The law applies to the Vice-President in case he assumes the duties of the presidency.

A Popular Bank of Communal Development (Banco Popular y de Desarrollo Comunal) was established by Law No. 4351 (1969) to encourage savings by workers and to give them economic protection. Funds will come from \( \frac{1}{2} \% \) of the salaries paid by employers and from 1% of the workers' salaries as withheld by the employers. Loans may be granted to workers for purposes stated in the law.
Law No. 4353 (1969) ratified a contract between Costa Rica and the Central American Bank of Economic Integration (CABEI) for the improvement of the international airport at San Jose. Another loan was granted by the I.B.D. for rural road construction under Law No. 4359 (1969).

Cotton growers may obtain loans from banks under Law No. 4356 (1969) to overcome difficulties arising from the eruption of the volcano El Arenal.

The Social Security Institute was authorized by Law No. 4362 (August 11, 1962) to make a loan to the Social Protection Council of San Jose for the construction of a psychiatric hospital.

A Central American Institute for Cultural Expansion was created by Law No. 4367 (1969) to operate according to guidelines set by UNESCO.

Basic principles of atomic law are contained in Law No. 4383 (1969). The law aims to encourage research and the use of atomic energy. An Atomic Energy Commission was established to grant necessary licenses for production, trade or use of atomic materials. The law also regulates liabilities arising from production, possession, transportation and use of such materials. Liability is limited to a maximum amount per person and per accident, and must be covered by insurance.

A National Registry within the Ministry of the Interior was established to unify all services dealing with various types of registration.

ECUADOR

The fisheries law enacted in March, 1969, defined as the territorial sea the adjacent waters to a distance of no less than 200 miles measured from the most salient points on the coast and the points which determine the low water line. The territorial sea also includes the internal waters of gulfs, bays, straits and channels within a line determined by the above points. The law also provides that the provisions of international conventions on the subject prevail provided that the zones delineated in the international treaties are more extensive than the zones provided by the local law. The law clearly sets forth the requirements that must be complied with by local and foreign fishermen before they can exploit the fishing resources of Ecuador.

Ecuador's Monetary Board Resolution No. 538 (1969), affects prior deposits and credit terms required for imports into the country.
A new law regarding chambers of commerce was adopted. Chambers shall further domestic and foreign commerce; insist on strict compliance with contracts on the part of their members; cooperate with the government in socio-economic matters; demand membership by all merchants residing in their areas; and represent general and special commercial interests. For purposes of membership, all individuals and associations, domestic and foreign, engaged in commerce in the sense of the Commercial Code are considered merchants.

Provisions of the Civil Code dealing with divorce have been amended in 1969.

EL SALVADOR

A National Advisory Commission for consultation and coordination of industrial development has been established by Decree No. 55 (1969).

Agrarian reform, as well as additional socio-economic reform measures are being studied by the Executive.

The Multilateral (Central American) Agreement on Social Security, signed in San Jose in 1967, has been ratified (D.O.98, May 30, 1969); also, an agreement with Spain on the subject of tourism (D.O. 98, May 30, 1969).

GUATEMALA

Guatemalan railways were reorganized in 1969 (D.O.May 15, 1969).

A regulation affecting insurance companies was issued in pursuance of Decree-Law No. 473 as a government acuerdo by the Ministry of Economy (D.O.June 9, 1969).

A council of Coffee Policy presided by the Minister of Agriculture and with representatives of interested ministries as members was created by Decree No. 19-69 (1969). The Council will act as an advisor to the Government. A National Association of Coffee is to be organized with producers, buyers, exporters and manufacturers of coffee products, as members. For the latter three occupations a government permit is required. The Association will have exclusive authority to control coffee exports, and in case international conventions establish quotas, the Association will allocate them.

Qualifications of pilots of dusting planes are contained in Decree No. 29-69 (1969). The Ministry of Labor and Social Welfare will promulgate regulations for foreign pilots and in each instance will ascertain if there
is reciprocity with the home country of the pilot. A permit to an alien pilot may be issued only after consultation with the National School of Dusting and the respective pilots' union.

The draft of a Code of Labor Procedure is still being discussed. The draft has been through a first reading in Congress, but review at one of the faculties of Juridical and Social Sciences has revealed that the draft "contains serious systematic deficiencies as well as omissions of important matters which belong in such code if it should be an all embracing codification."

HAITI

A new law regulating identity cards was adopted August 22, 1969. Every person over 17 years of age must secure a card from the tax administration except diplomatic or consular personnel, or those connected with international organizations. Also excluded are persons in transit and tourists who stay less than 90 days. The identity card is needed not only in connection with taxation matters but is also required for all contacts with governmental authorities. No action may be filed or pleaded unless attorneys or other representatives present their identity cards to the Secretary of a court.

JAMAICA

The House of Representatives recently passed the Occupiers Liability Act of 1969. The most significant innovation is the elimination of the common law distinction between invitees and licensees. The law burdens the occupier with a "common duty of care" toward all of his visitors which is defined as the responsibility of taking "such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there." The degree of care which would ordinarily be expected of the visitor in the given situation must be considered. A warning will not be treated as absolving the occupier of blame unless it is clear enough to enable the visitor to be reasonably safe, all circumstances considered. Where a visitor is injured as a result of the faulty execution of work by an independent contractor, the occupier will not be liable if he acted reasonably in entrusting the work to the contractor and in satisfying himself that the work had been properly completed. In cases where property is occupied by a person under a tenancy which puts on the landlord an obligation for maintenance and repairs, the landlord shall owe to all persons who lawfully enter the
property the duties in respect to any dangers arising from a default by him in carrying out that obligation of an occupier of the land. If the occupier of premises is bound by contract to admit strangers, i.e., persons who are original parties to the contract or successors by assignment, he may not contract away his common duty of care toward these strangers, or raise the standard of care.

A bill proposing several amendments to Jamaican divorce law has been submitted to the legislature. If spouses are living separate and apart for a continuous period of not less than five years, either party may sue for divorce without other grounds. In calculating the five year separation period, no account need be taken of periods not exceeding three months in which the parties resumed cohabitation with an eye toward reconciliation. The bill would also make two changes in the law regarding desertion as a ground for divorce. Under existing law, there must be an unbroken period of at least three years in which the deserting spouse has intentionally remained apart from the petitioner. The new bill would, in calculating the three year period, disregard periods not exceeding three months in length in which the parties cohabited while attempting reconciliation. The other change in the desertion law involves the proof of *animus desertendi*. There is a presumption under current law that if a deserting spouse subsequently becomes insane he does not retain the intent to remain in desertion. The proposed amendment provides that if the evidence before the court is sufficient to support an inference that the deserting spouse retains the necessary intent then, insanity of the deserting spouse notwithstanding, a divorce decree on grounds of desertion may be entered. Of other proposed changes in the Divorce Law, one would provide that collusion be a discretionary and not an absolute bar to a decree, and another would affect the laws relating to condonation as a bar to divorce.

A bill has been introduced into the House of Representatives which would amend the Bastardy Law. The major provisions of this bill include: changing the title of this particular phase of the law to Affiliation Law; deleting therefrom all reference to the word “bastard”; enabling a Resident Magistrate to appoint a guardian of the child where the mother has died, is of unsound mind, is in prison, or has left the island; enabling the Resident Magistrate to make an affiliation order where the complainant is unable to appear, and where evidence corroborating the affiliation has otherwise been introduced. Amendments involving the rights of succession of an illegitimate child and the rights of the natural parents to have access to the child are also being considered.
A proposed amendment to the Married Women’s Property Law would empower the court to order one spouse to compensate the other spouse for property held or disposed of by the former to which the latter has been able to establish some form of title. This would be a relaxation of the current law which requires, in addition to establishment of title by the petitioner, that the property still be in possession of one of the spouses, or that the funds received upon disposition of that property be clearly traceable.

The incorporation of the African Methodist Episcopal Church in Jamaica has been accomplished by Act No. 15 (1969). It makes the Church a perpetual corporation in which interests in land listed in an attached schedule are vested. A similar act deals with the Jamaica Baptist Union Act No. 16 (1969).

Regulations have been promulgated by the Minister of Agriculture and Fisheries to implement the Registration (Strata Titles) act of 1968, commonly known as the condominium law. The regulations came into effect on the day of their publication in the Official Gazette (August 25, 1969).

MEXICO

Regulations have been issued for the operation of the subway (Metro) in Mexico City by the Transportation Department (D.O. August 16, 1969).

On July 1, 1969, a 25% tax imposed on payments for services rendered by radio and television broadcasting stations as well as on payments made to intermediaries between the person requesting the service and the broadcasting stations entered into effect. However, two presidential directives have modified the collection of the tax. One allows stations to put at the disposal of the government 12.5% of their daily broadcasting time in lieu of paying the tax; the other limits this alternative to stations which renew their present concessions before July 31, 1969. This broadcasting time allocated to the federal government, as well as an equal amount of time to be allocated to the government by non-commercial stations, will be utilized according to an interministerial commission (Comisión de Radiodifusion) presided by a representative of the Ministry of the Interior and staffed by representatives of the Ministries of Economy, Public Credit, Communication and Transportation, Education and Health and Assistance. The aim of this acuerdo (D.O. August 21, 1969) is to coordinate the use of the time allocated to the government through taxation with an equal amount of time available on non-commercial stations.
Netherlands West Indies

Surinam

In May, Surinam celebrated the first centenary of the introduction of the Dutch civil and penal codes.

Nicaragua

Governmental directives, dated August 11, 1969 provide that foreign patents will be protected for five years only (instead of the previous ten years), provided the patent is used in a manufacturing plant in Nicaragua; if not, the right to the patent will expire one year after registration.

The Concesión Nacional de Pesca decreed on July 31, 1969 that restrictions imposed on the number of fishing vessels authorized to operate in the Atlantic and the Pacific enter into force; the number of vessels allowed to operate in the former has been set at 117 vessels and in the latter at 103, as provided in Decree No. 9 (1968).

The National Congress is considering a proposed law to nationalize insurance companies.

The Department of Customs started to collect a one percent tax on goods imported into Nicaragua on credit. The tax is charged to the sender.

Panama

A Codification Commission was created by Decree No. 121 (1969) to prepare revisions to the administrative, civil, criminal and judicial codes. Membership consists of five jurists appointed by the Executive, all the members of the Supreme Court, and the Attorney General. The Commission is to complete its work by December 6, 1969.

Decree No. 110 (1969) sets forth the requirements which must be met by non-resident aliens in order to acquire the status of immigrants.


The University of Panama was reorganized by Decree No. 144 (1969).
PARAGUAY

Tariff concessions adopted by the Eighth Conference of LAFTA took effect by Decree No. 3276 (1969). The concessions apply to exports and imports from member countries.

A commission for the study of foreign financing was established by Decree No. 3797 (1969) with representatives from the Ministry of Economy, the Central Bank and the Technical Planning Secretariat. The Commission will evaluate and supervise loans by the public sector and the guarantees extended to that sector by the Government.

A number of international conventions were recently ratified. Among them, a commercial convention with Switzerland; a multilateral convention with Argentina, Bolivia, Brazil and Uruguay (Tratado de la Cuenca del Plata); a convention with Ecuador dealing with cultural exchanges; a convention with Chile regarding the free zone at Antofagasta; a convention with Argentina regarding the Rio Paraguay; and the International Coffee Convention.

A partial revision of conventions adopted by the International Labor Organization in its thirty one general assemblies was approved by Law No. 65 (1968).

PERU

New Decree-Law No. 17475 (1969) deals with enterprises and subsidiaries of foreign enterprises established to act as promotional and counseling centers for foreign multilateral operations through financial, administrative or technical services by persons or institutions not domiciled in Peru. Under specific conditions set out in the decree-law, such undertakings may enjoy considerable tax benefits.

The governmental organization has been affected by a number of Decree-Laws enacted in 1969. Public finances have been reorganized by the Decree-Law No. 17521; the Ministry of Health by Decree-Law No. 17523; the Ministry of Labor by the Decree-Law No. 17524; the Ministry of Industry and Commerce by Decree-Law No. 17525; the Ministry of Transportation and Communications by Decree-Law No. 17526; the Ministry of Energy and Mines by Decree-Law No. 17527; the Ministry of Housing by Decree-Law No. 17528; and the Ministry of Agriculture and Fisheries by Decree-Law No. 17533.

A new sanitary code has been enacted by Decree-Law No. 17505 (1969). Book one deals with the administrative authorities, death, transplants, pharmaceutical products, inhumations and exhumations, transfer
of corpses and international relations in the field of health. The second book contains provisions regarding — among others — drug addictions, alcoholism, education, health institutions, labor health and social assistance. The third and final book deals with violations and penalties.

Sweeping socio-economic reforms continue. After the nationalization of significant areas of industry and a far reaching agrarian reform (June 24, 1969), the military government has prepared a code of waters designed to implement policies underlying the agrarian reform. The code will make available to small landholders water resources up till now monopolized by large landowners. The Government also plans to nationalize telephone, telegraph and cable communications presently controlled by United States, British and Swiss firms. Changes in the relations of labor and management are under consideration also.

TRINIDAD AND TOBAGO

Representatives of industry and commerce have urged the naming of a commission to review the existing draft of the Company Law. It was suggested that the costs of forming companies be reduced and that safeguards for investors and creditors be increased; also, that a greater variety of company types be made available on the premise that such flexibility, combined with a sound banking system would lead to reasonable expansion as well as mergers. The harshness of potential fines and prison terms for company officers and directors, and the dissimilarity between the draft law and the company laws of Great Britain and other Caribbean countries drew additional comments.

During his recent visit to London, the Prime Minister predicted "more direct action to bring certain key industries more directly under the control of the national authorities." The government has already nationalized the sugar industry; now it plans to encourage the establishment of national commercial banks and to extend national ownership into mass media, external communications and vital industries. This is believed necessary because "major decisions about investment, production and employment in a host country like Trinidad are being made in the head offices of international corporations beyond the jurisdiction of the local government." The Government also plans to "tighten up on the operations of foreign banks, insurance companies and other financial institutions." Furthermore, the Government plans to establish a Central Mortgage Bank for Housing and a National Development Bank, the latter to be financed by the government, private capital and international financial institutions. For the time being, a few foreign insurance companies or commercial banks will be admitted.
INTER-AMERICAN LEGAL DEVELOPMENTS

The Town and Country Planning Ordinance adopted by the Legislative Council in 1960 finally received Governor's assent. The Ordinance gives government the power to control the use of land by requiring governmental permits for land development, including construction.

The arrival in Trinidad of a representative of the International Labor Organization has heightened hopes for a revision of labor laws and the adoption of a new labor code to replace the present Industrial Stabilization Act. The Prime Minister also promised the establishment of a social security scheme.

The Judicial Committee of the United Kingdom Privy Council has dismissed an appeal which attacks the constitutionality of the 1965 Industrial Stabilization Act. The Act established a procedure whereby either management or labor could refer a dispute to the Minister of Labour who in turn, if he deemed it necessary, would refer it to an Industrial Court which would act as a final arbiter on the matter. The act prohibited the use of strikes and lockouts except in cases where the Minister had not referred the issue to the Industrial Court within twenty-eight days after it had been referred to him by the parties. It was argued on behalf of the unions that the constitutional right to freedom of association meant more than the mere right of individuals to assemble; rather, that it embraced the right of unions to organize and bargain collectively, such rights being ineffective without the additional right to strike which was severely curtailed by the Act. The Attorney-General contended, on the other hand, that freedom of association meant no more than what it said and that the purposes for which individuals were associated were not thereby made sacrosanct under the Constitution. The Privy Council noted that the rights to bargain collectively and to strike were not the only reasons that labor unions were formed. Most unions have other social, charitable and political aims. For these purposes individuals must do more than merely associate; they must organize. The necessity of organization is, in and of itself, an extension of the right of freedom of association. The Council then referred to Convention 87 of the International Labour Organization which recognizes the right to organize but does not mention the right to strike. Using these arguments, the Council held that the mere limitation on the rights to strike and to bargain collectively were not of such a nature as to deprive of all worthwhile content the union's right to freedom of association.

UNITED STATES

The temporary suspension of duties on imported scrap metals, first enacted in 1942, has been extended to July 1, 1971 (P.L. 91-25; 83 Stat.
The suspension covers such scrap as iron and steel, aluminum, magnesium, nickel and nickel alloys. The suspension does not cover lead, zinc or tungsten scrap. The temporary suspension of duties on electrodes imported for use in producing aluminum, first enacted in 1965, has been extended to December 31, 1970 (P.L. 91-26; 83 Stat. 36). Likewise, the suspension of duties on certain classes of spun silk yarn have been extended to November 7, 1971 (P.L. 91-28; 83 Stat. 36).

Congress, by joint resolution, extended the authority conferred in the Export Control Act of 1949 from June 30, 1969 to August 30, 1969 (P.L. 91-35; 83 Stat. 42). While new legislation extending the authority of the President to regulate exports is pending, the Committee on Banking and Currency declared that such legislation could not possibly pass both the Senate and the House and be approved by the President before the expiration date of June 30, 1969. The Committee further declared that the best interests of the United States would not be served by allowing the authority of the President to lapse. Consequently, the two month extension was approved so that Congress will have ample time to consider the new legislation.

The United States governor of the International Development Association has been authorized to cast a vote in favor of resolutions providing for an increase in the monetary resources of the Association. The governor is also authorized to agree on behalf of the United States to contribute $480,000,000 to the Association in furtherance of this expansion program (P.L. 91-14; 83 Stat. 10). Although most IDA assistance goes to Asia and the Middle East, some $118,000,000 in credits had been advanced to Latin American countries by the beginning of 1969.

The Consumer Credit Protection Act (P.L. 90-321; 82 Stat. 146) is dedicated to more effective protection for consumers buying on credit. The Act is divided into four titles, the first of which is the Truth in Lending Law. This law requires that lenders in consumer credit transactions must, at the time the transaction is entered into, fully inform the borrower of terms involving down payments and credits, the annual rate of interest, the total interest cost over the life of the contract, and periodic and total payments. Other terms of this title establish mandatory practices for lenders involved in revolving credit accounts and in consumer credit advertising. However, this law does not apply to transactions involving extension of credit for business or commercial purposes, or to governmental agencies. Also exempted are transactions in securities and commodities handled by brokers registered with the Securities Exchange Commission; credit transactions not involving real property in which total financing exceeds
$25,000; and certain transactions under public utility tariffs. Title II deals
with extortionate credit transactions and imposes penalties of up to $10,000
and 20 years of imprisonment for parties convicted of financing these
illegal transactions. Title III limits the garnishment of wages to 25% of
the individual’s disposable earnings per week or the amount by which his
disposable earnings for that week exceed thirty times the federal minimum
hourly wage, whichever is less. No employer may discharge an employee
by reason of the fact that his earnings have been subjected to garnishment
for any one indebtedness. This title takes effect in 1970. Title IV es-
tablishes a National Commission on Consumer Finance to study consumer
financing and to submit a report to Congress by January 1, 1971.

The Housing and Urban Development Act of 1968 has authorized a
total of $5.3 billion for a series of programs aimed at the needs of families
with low and moderate income. Included in the seventeen titles of the Act
are the following provisions: (1) an authorization subsidizing interest
payments for low and middle income families who are purchasing their
own homes; (2) an authorization subsidizing rent payments in private
housing for families with up to 135% of the maximum allowable income
for public housing residents; (3) an authorization empowering the Secre-
tary of Housing and Urban Development to guarantee bonds, debentures,
and notes to finance the construction of new communities, and an authoriz-
ation of grants to state and local governments for financing of water and
sewer projects in these new communities; (4) an authorization for a pro-
gram of Federal reinsurance for private insurance companies to encourage
necessary property insurance in inner cities and in storm and flood prone
areas; (5) an authorization of $1 billion during fiscal 1970 for the devel-
opment of model cities within existing cities. The new law also places the
secondary market operations of the Federal Mortgage Association in a new
privately owned corporation, and transfers the special assistance, manage-
ment, and liquidating functions of that association to a new Government
National Mortgage Association within the Department of Housing and
Urban Development. Title XIV of the Act contains the Interstate Land
Sales Full Disclosure Act.

New solutions are being sought to further social and economic devel-
opment in Latin America. Two draft laws have been submitted to Congress
recently. One (Rep. Moss, Cal.) would guarantee credit to low-income
groups from private banking institutions in Latin America, primarily for
comparatively small projects of local significance. The fund would be ad-
ministered by the A.I.D. Another bill by Rep. Fascell (Fla.) would remove
some social development tasks from the jurisdiction of A.I.D. and entrust
them to a new Inter-American Development Institute, a semi-private insti-
tution. The Institute would be composed of official representatives as well as private persons from Latin America and the United States. Congressman Fascell aims to isolate aid set aside for social and civic development from other aspects of the foreign aid program and to channel it through the Institute.

Puerto Rico

A bill making the Christmas bonus in the amount of one week's salary compulsory was signed by the Governor.

The newly enacted Military Code, replacing the code of 1917 and additional enactments of 1941 and 1942, grants the Governor extensive authority in cases of civil unrest or natural disasters. The Code regulates the Armed Forces of the Commonwealth, and provides the legal basis for additional regulations.

A set of four laws was enacted to assist students; one of them establishes an educational fund for which tax money shall be made available.

The employment of alien physicians under an authorization granted to the Secretariat of Health was extended through September 30, 1972. Presently, some 130 alien physicians practice in Puerto Rico, but there is need for additional doctors. Most foreign physicians are Cubans and Dominicans, but there are some from Chile, Peru and Mexico. Foreigners are normally assigned to municipalities outside of San Juan and receive $800 monthly.

Specially Noted

1. The U. S. Department of Commerce has published a summary of the patent laws of 125 nations as a guide for American exporters. The listing appears in the August 11 issue of INTERNATIONAL COMMERCE, the Department's weekly news magazine for world traders.


URUGUAY

Administrative changes have occurred in the Ministry of Industry and Commerce (Decree No. 5, 1969). Certain functions heretofore assigned to the Bureau of Public Credit have been transferred to the Central
Bank, including the servicing of the national debt and of treasury bonds (Decree No. 135, 1969).

A new schedule of fees for airport operations as well as overflights has been issued (Decree No. 18, 1969); the license to Swissair has been revoked by Decree No. 25 (1969).

The scope of the law regulating hunting has been expanded so as to prohibit hunting or the commercialization of indigenous wildlife (Decree No. 140, 1969).

A series of regulations prohibit financial institutions not classified as banks from engaging in banking operations, including accepting deposits or making loans (Decree No. 119, 1969). The permit granted to the Israeli-American Bank was rescinded by Resolution of the Ministry of Finance (Decree No. 331, 1969).

In order to further the necessary interchange of electrical energy between Argentina and Uruguay, an agreement was approved with Ebasco Corporation (U.S.) to obtain a loan from the Inter-American Development Bank (Decree No. 127, 1969).

Autonomous or decentralized governmental entities cannot enter into economic agreements with foreign entities unless they secure a previous authorization from the Ministry of Finance and the Ministry of Foreign Affairs (Decree 131, 1969).

All evictions proceedings have again been suspended, this time through April 30, 1969 (Law No. 13.736, 1969).

Minimum wages have been set for agricultural workers by Decree No. 804 (1968).

Price schedules have constantly changed. A new list of consumer articles was published by a Resolution of the Ministry of Finance, dated January 28, 1969. The Ministry of Industry and Commerce (Decree No. 79, 1969) has issued a new price list for oils, alcohol, asphalt and concrete. The Council of Ministers has approved (Decrees No. 273, 274, 275 and 276, 1969) price regulations issued by the Commission for Productivity, Prices and Income (COPRIN), including admissions to theaters and clubs. Prices for the grape harvest were fixed by Decree No. 138 (1969). Doubts as to the validity of certain prices fixed by the National Administration of Combustibles, Alcohol and Concrete (ANCAP) have been dispelled by Decree No. 141 (1969).

The Ministry of Transportation, Communications and Tourism fixed
minimum and maximum wagers in the country's casinos (Decree No. 12, 1969).

A number of tariffs have been modified, among others, the following: duty free importation was granted to offset equipment and other machinery used for newspapers (Decree No. 4, 1969), to automobiles to be used as taxis (Decree No. 63, 1969), and to farm machinery to be imported from the United States for U.S. $1.25 million (Decree No. 115, 1969). Machinery needed for cultivation of tobacco was granted a one year tariff exemption (Decree No. 91, 1969). An additional list of items, including machinery and parts, has been added to the Tariff Code by Decree No. 57 (1969).

The Minister of Foreign Affairs was authorized to sign an extradition treaty with Israel (Resolution No. 67, 1969).

Due to the subsiding of unrest, the government withdrew its intervention from several governmental, para-governmental, industrial and commercial establishments (Decree No. 133, 1969); and revoked the mobilization of bank, electrical and telephone employees (Decree No. 132, 1969). Nevertheless, isolated protective measures continue to be taken, e.g., the Montevideo newspaper Extra has been closed, and the Trotskyite party (APPOR) dissolved and its newspaper suspended.

VENEZUELA

Participation of workers in autonomous institutions, in organizations of economic development, and in enterprises in which the state has control has been introduced by the Law on Representation of Workers (August 29, 1969). In these economic entities workers will be represented by the labor union "most qualified or of greater importance in the respective branch of industry." In case of doubt as to this qualification, the Ministry of Labor will designate the qualified union. Such unions will submit lists of five candidates from which one representative and one substitute will be appointed by the above Ministry. Corporations with a majority of shares controlled by the state will be required to adjust their statutes so as to make workers' representation in their respective boards possible. In case of non-compliance all contracts and other transactions concluded by entities subject to this law will be deemed null.


The regulation implementing the Law of Transportation on Land of 1962 was amended by Decree No. 1341 (1969) without changing its sub-
stantive provisions. The decree implements Art. 24 of the law which allows a direct action against the insurer, by providing (Art. 248) that the civil action shall be brought jointly against the driver, the owner (unless he is the driver) and the insurer.

To further the development of the merchant marine, Decree No. 132 (1969) has been issued establishing a National Council of Merchant Marine. The Council is to recommend policies for the development of the merchant marine and the shipbuilding industry, and other pertinent measures, particularly in regard to maritime transportation and ports. The Council is to cooperate with the Ministry of Communications in all relevant studies and planning.